



San Diego City Attorney **MICHAEL J. AGUIRRE**

MEDIA ADVISORY

FOR IMMEDIATE RELEASE: August 14, 2007

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CITY ATTORNEY MICHAEL AGUIRRE WILL BRIEF THE NEWS MEDIA ON FIVE IMPORTANT CITY MATTERS

NEWS BRIEFING: August 14 at 11 a.m.

LOCATION: City Hall, 202 C Street, 13th floor pressroom, downtown San Diego

To view news briefing, visit www.sandiegocityattorney.org, click Media Center, Videos

1.

CITY ATTORNEY LETTER RELATED TO SUNROAD

Update on August 13, 2007 letter sent to Mayor Sanders regarding the City's Deputy Chief Operating Officer for Land Use and Economic Development who was actively lobbying City Council members for support of a proposal to the Federal Aviation Administration ("FAA") to permit the Sunroad Centrum I Tower ("Tower") to remain at a height of 166 feet above ground level ("AGL") and, at that height, be declared not a hazard to air navigation at Montgomery Field Airport. The FAA, California Department of Transportation Aeronautics Division ("Caltrans"), and the City Attorney's Office have consistently rejected the concept and the lobbying efforts contradict the Mayor's orders to Sunroad to deconstruct the building.

According to today's Union-Tribune newspaper, the Deputy Chief Jim Warning abruptly resigned. Council member Donna Frye will join the City Attorney at the news briefing.

2.

PERMIT PARKING SIGNS FOR VALET SERVICE REMOVED

The Director of Parks and Recreation Department confirmed the illegal signs were taken down last Friday after the City Attorney issued another legal memorandum on July 27, 2007, informing the director that "the use of dedicated public parkland for the reserved storage of valet-parked cars removes a portion of the public parking lot from use by the general public. It is not proper park and recreational use, violates Charter section 55, and must not be allowed to continue. The post signs and pavement-painted signs in the Alcazar Lot violate Code section 63.05 and must be removed immediately." The City Attorney claims the park has now been returned to the people.

3.

LAWSUITS FILED AGAINST OIL COMPANY

Lawsuits filed against the nation's largest energy pipeline transportation and storage company, Kinder Morgan Energy Partners, for injunctive relief, damages and civil penalties resulting from extensive, continuing pollution near Qualcomm Stadium.

(MORE)

4.

CITY'S PENSION CASE

The City Attorney's Office has filed an amicus letter in support of a petition to the California Supreme Court requesting a review or depublishation of the Court of Appeals decision in the *Brandenburg v. Eureka Development Agency* case. *Brandenburg*, which established a one-year statute of limitations for conflict of interest cases. However, the decision contradicts both existing law and the recent expressed legislative intent. The case was recently cited by San Diego Superior Court Judge Jeffrey B. Barton as the reason for dismissing the City's pension case.

5.

CITY ATTORNEY LETTER TO RETIREMENT ADMINISTRATOR

Letter asks David Wescoe, CEO for San Diego City Employees' Retirement System (SDCERS) , to report if SDCERS has invested in subprime lender stocks.

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